

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 24-cr-20201-KMW

UNITED STATES OF AMERICA,

v.

DAVID KNEZEVICH,

Defendant.

/

MOTION TO COMPEL BUMBLE RECORDS

David Knezevich (“Knezevich”) through undersigned counsel, pursuant to Federal Rules of Criminal Procedure 5(f) and 16, as well as Knezevich’s Fifth and Sixth Amendment protections, submits this Motion to Compel the United States to Produce Bumble Records.

The Government produced documents from the Bumble dating “app” to the defense team in its First Response to the Standing Discovery Order. These documents include Ms. Knezevich’s Bumble profile information, a password of some kind, the IP addresses for every Bumble login from March 2023 through February 2024, and billing information (collectively, the “Bumble Records”). Notably absent from the Bumble records are any messages between Ms. Knezevich and other users on the app, or any contact or friends list for people she met through the app. Ms. Knezevich’s Bumble contacts and Bumble messages (or interactions with other users) are important *Brady* information, to which the defense is entitled.¹ For example, discovery contains

¹ See, e.g., Bates 00013842-00013847 (friend says Ms. Knezevich used Bumble to communicate with and meet men and women in Madrid); Bates 00013873-00013876 (law enforcement report stating that Ms. Knezevich used apps to meet people in Madrid and it cannot be ruled out that someone she spoke to on these apps may have been in actual contact with her); Bates 00010459 (witness Elizabeth Ramos, who lives in Madrid, told investigators she met Ms. Knezevich through Bumble app in October 2023).

references to someone Ms. Knezevich called a “boyfriend” she met through Bumble, identified as “Jose Apr.”²

On September 19 and 20, 2024, after two separate detention hearings during which the Bumble app and Ms. Knezevich’s romantic interests were mentioned, the defense emailed the Government twice to request all Bumble messages or communications. On September 20, 2024, the Government responded, “As to Bumble, I have produced to you the entirety of the subpoena return.” The defense followed up immediately to confirm, with specificity, that the Government did not receive records from reflecting who Ms. Knezevich was in contact with through the app. The Government responded, “I’ve produced to you the entirety of the Bumble production in the First Response to the SDO.”

Based on these communications, the Government’s representations to the defense are that it does not have Ms. Knezevich’s Bumble contacts, her Bumble messages, or any other documents to identify who Ms. Knezevich was in contact with through Bumble. The question remained, however, whether the Government failed to request these Bumble documents or whether the Government did request them, and they were not produced. For clarification on this question, on October 10, 2024, the defense requested a copy of the Government’s subpoena to Bumble. On October 18, 2024, the Government responded, refusing to provide the defense with a copy of its subpoena to Bumble.

This motion is filed to exhaust the Government’s production of all materials produced by Bumble in response to the subpoena, since the Government has not yet produced any Bumble contacts or communications which would constitute *Brady* evidence.

² See, e.g., Bates 00009560 (investigators uncovered that Ms. Knezevich was using the popular dating app Bumble, and that she contacted several individuals including a 25-year-old resident of Madrid named Jose);

WHEREFORE, David Knezevich respectfully requests entry of an order compelling the Government to produce the Bumble records requested in this Motion, or to explain why it does not have these records despite its subpoena to Bumble.

MEET AND CONFER

Undersigned counsel met and conferred with the Government regarding the relief sought in this motion. The Government object to the relief sought.

Dated: November 8, 2024.

Respectfully Submitted,

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